

06/24/03
134 U.S. PTO

BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW
8110 GATEHOUSE ROAD
SUITE 100 EAST
FALLS CHURCH, VA 22042-1248
U S A
(703) 205-8000

FAX: (703) 205-8050
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com
web: http://www.bskb.com

CALIFORNIA OFFICES:
COSTA MESA, CALIFORNIA
LOS ANGELES, CALIFORNIA

SCOTT L. LOWE
PAUL C. LEWIS
RICHARD GALLAGHER
MARYANNE ARMSTRONG, Ph.D.
KECIA J. REYNOLDS
KALPANA REDDY
ESTHER H. CHONG
CATHERINE M. VOISINET
EUGENE T. PEREZ
CAROLYN T. BAUMGARDNER
MARTIN R. GEISSLER
J. ALISON GRABELL
T. BENJAMIN SCHROEDER, Ph.D.
PERCY L. SQUARE
HYUNG SOHN
CLINT A. GORDON
CRAIG A. MCROBBIE
WILLIAM F. NIXON
DANIEL K. DORSEY

REG. PATENT AGENTS:
FREDERICK R. HANDREN
MAKI MATSUMI
GARTH M. DAHLEN, Ph.D.
ROBERT E. GOOZNER, Ph.D.
KRISTIL RUPERT, Ph.D.
MATTHEW T. SHANLEY
SUSAN W. GORMAN, Ph.D.
ROBERT W. DOWNS
CHAD J. BILLINGS
CHRISTINE V. CASTILLO
CARL T. THOMSEN
SAM BHATTACHARYA
BRADLEY C. FACH

TERRELL C. BIRCH
RAYMOND C. STEWART
JOSEPH A. KOLASCH
JAMES M. SLATTERY
MICHAEL K. NUTTER
CHARLES GORENSTEIN
GERALD M. MURPHY, JR.
LEONARD R. SVENSSON
ANDREW D. MEIKLE
MARC S. WEINER
JOE MCKINNEY MUNCEY
ROBERT J. KENNEY
JOHN W. BAILEY
MARK J. RUELL, Ph.D.
JAMES T. ELLER, JR.
D. RICHARD ANDERSON
THOMAS M. SMALL
ROBERT A. SELDON
JOHN A. SCILLIERI
SANFORD ASTOR

OF COUNSEL:
HERBERT M. BIRCH (1905-1996)
BERNARD L. SWEENEY
ELLIOT A. GOLDBERG
WILLIAM L. GATES
EDWARD M. VALANCE
RUPERT J. BRADY (RET.)
F. PRINCE BUTLER
FRED S. WHISENHUNT (RET.)
JAMES W. HELLWEGE
QUENTIN R. "RICK" CORRIE
ROBERT F. GAUSE
DAVID R. MURPHY
PHILIP K. YU
ROBERT M. ASHEN
MICHAEL R. CAMMARATA

*ADMITTED TO A BAR OTHER THAN VA

Date: June 24, 2003

Docket No.: 0020-5123P

17612 U.S. PTO
10/601582
06/24/03

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional ☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/714,143 filed on November 17, 2000, which is a continuation of prior Application No. 09/004,925, which issued as U.S. Patent No. 6,172,382 on January 9, 2001, the entire contents of which are hereby incorporated by reference, by

Shinichi NAGAHAMA; Masayuki SENOH; and Shuji NAKAMURA

for

NITRIDE SEMICONDUCTOR DEVICE

1. ☒ Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2. ☒ The filing fee has been calculated as follows:

MAIL ADDRESS: P.O. BOX 747, FALLS CHURCH, VIRGINIA, USA 22040-0747

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$750.00	\$375.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	37-20 =	17	x 18 = \$306.00	x 9 = \$0.00
INDEPENDENT CLAIMS	6-3 =	3	x 84 = \$252.00	x 42 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
TOTAL			\$1308.00	\$0.00

3. ☒ A check in the amount of \$1308.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. ☒ --This application is a ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending Application No. 09/714,143, filed on November 17, 2000, which is a continuation of prior Application No. 09/004,925, which issued as U.S. Patent No. 6,172,382 on January 9, 2001, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. 9-001937 filed in Japan on January 9, 1997; 9-012707 filed in Japan on January 27, 1997; 9-102793 filed in Japan on April 3, 1997; 9-134210 filed in Japan on May 26, 1997; 9-244342 filed in Japan on September 9, 1997; 9-274438 filed in Japan on October 7, 1997; and 9-311272 filed in Japan on October 27, 1997 under 35 U.S.C. § 119.--
- b. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/714,143, filed on November 17, 2000 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/714,143 is the national

phase of PCT International Application No. PCT/____/____ filed on ____ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. ____ filed in ____ on ____ under 35 U.S.C. § 119.--

6. ☒ Enclosed is/are nine (9) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 09/714,143 on _____. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to Nichia Chemical Industries, Ltd., 491-100, Oka, Kaminakacho, Anan-shi, Tokushima 774-0044, Japan.
9. ☒ A Preliminary Amendment is enclosed.
- 10a. ☒ Priority of Application No(s). 9-001937 filed in Japan on January 9, 1997; 9-012707 filed in Japan on January 27, 1997; 9-102793 filed in Japan on April 3, 1997; 9-134210 filed in Japan on May 26, 1997; 9-244342 filed in Japan on September 9, 1997; 9-274438 filed in Japan on October 7, 1997; and 9-311272 filed in Japan on October 27, 1997 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on August 13, 1998.
- 10b. ☐ Priority of International Appln. ____ filed on ____ under the Patent Cooperation Treaty and ____ Application No. ____ filed in ____ on ____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

or
Customer No. 002292

13. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/714,143 in order to establish co-pendency with the present application.

14. ☐ Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP



By _____
D. Richard Anderson, #40,439

lms
DRA/CMV/jdm
0020-5123P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s)

(Rev. 04/30/03)